

ENTERED

November 04, 2015

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

GRADY ALLEN DAVIS,

Plaintiff,

VS.

WILLIAM STEPHENS, *et al*,

Defendants.

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CIVIL ACTION NO. 2:15-CV-00211

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

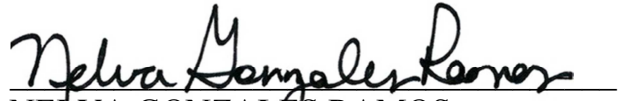
On August 17, 2015, United States Magistrate Judge Jason B. Libby issued his “Memorandum and Recommendation” (D.E. 11), recommending that this action be dismissed for failure to state a claim and/or as frivolous. The Plaintiff was provided proper notice of, and opportunity to object to, the Magistrate Judge’s Memorandum and Recommendation. FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been filed.

When no timely objection to a magistrate judge’s memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s memorandum and recommendation. *Guillory v. PPG Industries, Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Services Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge’s Memorandum and Recommendation (D.E. 11), and all other relevant documents in the record, and finding no clear error, the Court **ADOPTS** as its own the

findings and conclusions of the Magistrate Judge. Accordingly, this action is **DISMISSED WITH PREJUDICE** for failure to state a claim and/or as frivolous pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A(b)(1). It is further **ORDERED** that this dismissal count as a “strike” for purposes of 28 U.S.C. § 1915(g) against this Plaintiff, and that the Clerk send notice of this dismissal by email to Lori Stover, Judicial Assistant to United States District Judge Richard A. Schell in Plano, Texas for recording in the Three Strikes List.

ORDERED this 4th day of November, 2015.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE